



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, October 18, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **October 18, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **TR06-151. Tree Removal Permit** for removal of two Redwood trees 160 and 114 inches in circumference, and one Liquid Amber tree , 66 inches in circumference, on a 0.3 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1242 Mildred Avenue (Clark Kevin G And Wendy M, Clark Kevin G And Wendy M, Owner). Council District 6. CEQA: Exempt. **Defer to 11/22/06.**

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR06-144. Tree Removal Permit** to remove one Pecan tree 60 inches in circumference and one Fir tree 63 inches in circumference on a 0.45 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on 182 Kirk Avenue (Quintana Martin G, Owner). Council District 5. CEQA: Exempt.
- b. **TR06-155. Tree Removal Permit** for one Deodor Cedar tree 125" in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2578 Hill Park Drive (Robert R and Judith A Bates, Owners). Council District 9. CEQA: Exempt.
- c. **TR06-131. Tree Removal Permit** Application for the removal of one poplar tree, 64 inches in circumference, on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2604 Poplarwood Way (Siegfred and Rowena Aseo, Owners). Council District 4. CEQA: Exempt.
- d. **TR06-145. Tree Removal Permit** Application for the removal of one ordinance sized tree of unknown species (possibly Ash), 130 inches in circumference, on a 0.13

gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 422 Fieldcrest Drive (Cynthia A Mclean, Owner). Council District 2. CEQA: Exempt.

- e. **PD06-018. Planned Development Permit** to allow the construction of one single family detached residence on a 0.09 gross acre site in the R-1-8 (PD) Planned Development Zoning District, located at the southeast corner of Bernal Way and Via Serena (74 BERNAL WY) (Tran Tony Chan, Owner). Council District 2. SNI: None. CEQA: Exempt.
- f. **TR06-150. Tree Removal Permit** to remove one Palm Tree 100 inches in circumference on a 0.11 gross acre site in the A(PD) Planned Development Zoning District, located at/on the 2194 Paseo Del Oro (Riddell Bruce M And Sandra J,Owner). Council District 9. CEQA Exempt.
- g. **TR06-158. Tree Removal Permit** to allow the removal of one Pine tree, 90 inches in circumference, in the rear yard of a single-family residence on a 0.17 gross acre lot in the R-1-8 Single-Family Residence Zoning District, located at 2263 Chaparral Ave (Guo Min And Yang Lin, Owner). Council District 1. CEQA: Exempt. SNI: None.
- h. **TR06-153. Tree removal permit** to remove one Chinese Silk Oak tree, 87" in circumference on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1487 Greene Drive. Council District 1. CEQA: Exempt. SNI: None.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-057. Special Use Permit** for late night use until 3:00 a.m. daily at an existing restaurant on a 0.2 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the north side of W. Santa Clara Street approximately 60 feet east of San Pedro Street (131 W SANTA CLARA ST) (San Pedro Square, Llc, Owner). Council District 3. SNI: None. CEQA: Exempt. **Deferred from 10/11/06.**
- b. **TR06-152. Tree Removal Permit** for removal of one Southern Magdolia tree, 100 inches in circumference, on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 875 GARDEN DR (Breeding Dan L And Sheila P, Owner). Council District 6. CEQA: Exempt.
- c. **TR06-149. Tree Removal Permit** to remove 14 Eucalyptus trees of various sizes, on a 1.33 gross acre site in the A(PD) Planned Development Zoning District, located at 1922 The Alameda (United Way Santa Clara County, Owner). Council District 6. CEQA: Exempt.
- d. **PT06-066. Vesting Planned Development Tentative Map** to subdivide one parcel into 13 lots for single-family attached residential uses on a 0.51 gross

acre site in the A(PD) Planned Development Zoning District, located at/on the southeast terminus of Tierra Encantada Way (Tierra Encantada LP, Owner). Council District 5. SNI: Mayfair. CEQA: Mitigated Negative Declaration.

- e. The projects being considered are located on the north side of West San Carlos Street, 650 feet westerly of Meridian Avenue (1465 W SAN CARLOS ST), in the A(PD) Planned Development Zoning District (MULLER INVESTMENT CO, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Mitigated Negative Declaration.
 - 1. **PD06-042. Planned Development Permit** request to allow demolition of an existing restaurant and mixed use building and construction of 11 live-work units and 84 single-family attached residential units, and associated site improvement on a 5.02 gross acre site.
 - 2. **PT06-078. Vesting Planned Development Tentative Map** to subdivide six parcels into 20 lots for 11 live-work and 84 single-family attached residential units on a 5.02 gross acre site.
- f. **PDA90-055-03. Tree removal permit** to remove 31 (9 ordinance sized) Fremont Cottonwood trees from the parking lot of the Pacific Rim Plaza I. Trees to be replaced with New Zealand Christmas Trees. The site is located in the A(PD) Planned Development Zoning District, on the southeast corner of Hostetter Road and Lundy Avenue (1628 HOSTETTER RD). (Evershine I Lp, Owner). Council District 4. CEQA: Exempt.
- g. **SP06-070 & V06-006 (file previously referred as CP05-066).** Special Use Permit request to allow an existing slimline monopole for wireless communication uses and Variance request to allow setback reduction on a 0.12 gross acre site in the CG General Commercial Zoning District, located on the northeast corner Monroe Street and Forest Avenue (Stevens Creek Associates, Owner). Council District 6. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for October 18, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE